

FILED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO**UNITED STATES DISTRICT COURT**

for the

MAY 25 2016

District of New Mexico

MATTHEW J. DYKMAN
CLERK

United States of America)

v.)

Colleen Calamia)

Case No. MJ 16-2438_____
*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 24, 2016 in the county of Bernalillo in the

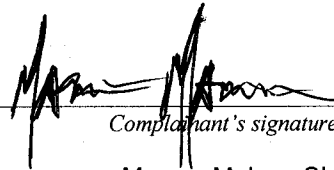
District of New Mexico, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 1071

Concealing person from arrest

This criminal complaint is based on these facts:

See Attached.

☒ Continued on the attached sheet.

Complainant's signature

Marcus Malone SI

Printed name and title

Sworn to before me and signed in my presence.

Date: 5-25-16

*Judge's signature*City and state: Albuquerque NMKirtan Khalsa U.S. Magistrate


Printed name and title

This criminal complaint is based on these facts:

1. My name is Marcus Malone, and I am employed as a Senior Inspector with the United States Marshal Service (USMS) currently assigned to the District of New Mexico. I am a federal law enforcement officer with statutory authority to make arrests. I have been employed as a Senior Inspector in the District of New Mexico since June 1st, 2015. Prior to this, I worked with the USMS as a Deputy U.S. Marshal in the Southern District of Alabama from 2009-2015. Prior to the Marshals Service, I was employed by the United States Probation Office in the Middle District of Alabama from 2007-2009. I was also an Alabama State Reserve Trooper from 2008-2009. I have a Bachelor's of Arts degree from Faulkner University, Montgomery, AL in Criminal Justice. I am a graduate of the Federal Law Enforcement Training Center (FLETC) and the United States Marshal Service basic training in Glynco, GA.
2. On May 20, 2016, MONTOYA had been released from USMS custody to the La Posada Halfway House. That same day an emergency federal arrest warrant for Mario Montoya for the Violation of Conditions of Pretrial Release was issued by United States District Judge Martha Vazquez in the District of New Mexico. MONTOYA was being charged for cutting off an ankle bracelet and absconding from La Posada Halfway House on the same date. Surveillance video showed MONTOYA fled the Halfway House after entering a black sport utility vehicle.
3. On May 24, 2016, Deputy U.S. Marshals developed information that MONTOYA was believed to be frequenting his listed primary address of 312 Western Skies Apt 1. While conducting surveillance of the residence, Colleen CALAMIA was observed driving a black Escalade that was parked in front of the residence. CALAMIA and Mario MONTOYA, who was wearing a black shirt and black hat, were observed exiting the vehicle and moving objects from the vehicle and into the residence.
4. CALAMIA then left the residence in the black Escalade and Deputy U.S. Marshals utilized emergency equipment consisting of red and blue strobe flashing lights to initiate a stop of CALAMIA. Deputy U.S. Marshals wearing ballistic vests marked "U.S. Marshals" approached CALAMIA and inquired in regards to the whereabouts of MONTOYA. CALAMIA initially advised that MONTOYA was at the halfway house. Deputy Marshals informed CALAMIA that they were aware she was lying and CALAMIA then advised of MONTOYA being at the 312 Western Skies residence. She further stated to the Deputy U.S. Marshals that she just didn't want him to be in trouble and that he did not have any drugs or guns on him while he had been with her. Finally she stated that MONTOYA was alone in the apartment.
5. When the USMS arrest team attempted to serve the warrant, Defendant fired upon the deputies, initiating an exchange of gunfire. After the arrest team was able to retreat to a safe location, a second team later entered the residence. The second team found

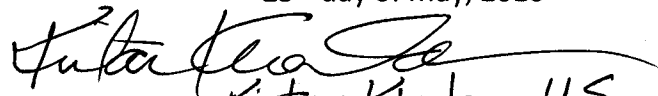
Defendant hiding in a closet, that he had been struck in the exchange of gunfire, and that he was deceased.

6. The Defendant did harbor and conceal federal fugitive Mario MONTOYA, for whose arrest a warrant has been issued under the provisions of the laws of the United States, so as to prevent his discovery and arrest.
7. Based on the facts and information presented above, a warrant is requested for Colleen Calamia charging her with violation of 18 USC 1071, Concealing Person from Arrest.


Senior Inspector Marcus Malone

Subscribed and sworn to before me this

25th day of May, 2016


Kirtan Khalsa, U.S.

*****Electronically Approved By AUSA Jake Wishard*****

Magistrate Judge